

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**SILVA GREER, AS ADMINISTRATRIX
OF THE ESTATE OF R.J. RANDLE,**

PLAINTIFF,

VS.

CIVIL ACTION NO. 4:08CV042-P-B

MEDTRONIC, INC.,

DEFENDANT.

FINAL JUDGMENT

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND ADJUDGED** that:

(1) Defendant Medtronic, Inc.'s Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) is **GRANTED** based on the court's conclusion that the plaintiff's claims are barred as untimely under Miss. Code Ann. § 15-1-49's three-year statute of limitations period; therefore,

(2) The plaintiff's claims are **DISMISSED WITH PREJUDICE**; and

(3) This case is **CLOSED**.

SO ORDERED this the 25th day of April, A.D., 2008.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE